

§ 22. Time allowed to settle affairs and depart

When an alien who becomes liable as an enemy, in the manner prescribed in section 21 of this title, is not chargeable with actual hostility, or other crime against the public safety, he shall be allowed, for the recovery, disposal, and removal of his goods and effects, and for his departure, the full time which is or shall be stipulated by any treaty then in force between the United States and the hostile nation or government of which he is a native citizen, denizen, or subject; and where no such treaty exists, or is in force, the President may ascertain and declare such reasonable time as may be consistent with the public safety, and according to the dictates of humanity and national hospitality.

(R.S. § 4068.)

CODIFICATION

R.S. § 4068 derived from acts July 6, 1798, ch. 66, § 1, 1 Stat. 577; July 6, 1812, ch. 130, 2 Stat. 781.

§ 23. Jurisdiction of United States courts and judges

After any such proclamation has been made, the several courts of the United States, having criminal jurisdiction, and the several justices and judges of the courts of the United States, are authorized and it shall be their duty, upon complaint against any alien enemy resident and at large within such jurisdiction or district, to the danger of the public peace or safety, and contrary to the tenor or intent of such proclamation, or other regulations which the President may have established, to cause such alien to be duly apprehended and conveyed before such court, judge, or justice; and after a full examination and hearing on such complaint, and sufficient cause appearing, to order such alien to be removed out of the territory of the United States, or to give sureties for his good behavior, or to be otherwise restrained, conformably to the proclamation or regulations established as aforesaid, and to imprison, or otherwise secure such alien, until the order which may be so made shall be performed.

(R.S. § 4069.)

CODIFICATION

R.S. § 4069 derived from act July 6, 1798, ch. 66, § 2, 1 Stat. 577.

§ 24. Duties of marshals

When an alien enemy is required by the President, or by order of any court, judge, or justice, to depart and to be removed, it shall be the duty of the marshal of the district in which he shall be apprehended to provide therefor and to execute such order in person, or by his deputy or other discreet person to be employed by him, by causing a removal of such alien out of the territory of the United States; and for such removal the marshal shall have the warrant of the President, or of the court, judge, or justice ordering the same, as the case may be.

(R.S. § 4070.)

CODIFICATION

R.S. § 4070 derived from act July 6, 1798, ch. 66, § 3, 1 Stat. 578.

CHAPTER 4—ESPIONAGE**§§ 31 to 39. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862**

Section 31, acts June 15, 1917, ch. 30, title I, § 1, 40 Stat. 217; Mar. 28, 1940, ch. 72, title I, § 1, 54 Stat. 79, related to unlawful obtaining or permitting to be obtained information affecting national defense. See section 793 of Title 18, Crimes and Criminal Procedure.

Section 32, act June 15, 1917, ch. 30, title I, § 2, 40 Stat. 218, related to unlawful disclosures affecting national defense. See section 794 of Title 18.

Section 33, act June 15, 1917, ch. 30, title I, § 3, 40 Stat. 219, related to seditious or disloyal acts or words in time of war. See section 2388 of Title 18. Section 33 was amended by act May 16, 1918, ch. 75, § 1, 40 Stat. 553, which was repealed and the original section reenacted by act Mar. 3, 1921, ch. 136, 41 Stat. 1359.

Section 34, act June 15, 1917, ch. 30, title I, § 4, 40 Stat. 219, related to conspiracy to violate sections 32 and 33 of this title. See sections 794 and 2388 of Title 18.

Section 35, acts June 15, 1917, ch. 30, title I, § 5, 40 Stat. 219; Mar. 28, 1940, ch. 72, § 2, 54 Stat. 79, related to the harboring or concealing of violators of the law. See sections 792 and 2388 of Title 18.

Section 36, act June 15, 1917, ch. 30, title I, § 6, 40 Stat. 219, related to designation by proclamation of prohibited areas. See section 793 of Title 18.

Section 37, act June 15, 1917, ch. 30, title I, § 8, 40 Stat. 219, related to places subject to provisions of sections 31 to 42 of this title. See section 2388 of Title 18.

Section 38, act June 15, 1917, ch. 30, title I, § 7, 40 Stat. 219, related to jurisdiction of courts-martial and military commissions.

Section 39, act June 15, 1917, ch. 30, title XIII, § 2, 40 Stat. 231; Proc. No. 2695, eff. July 4, 1946, 11 F.R. 7517, 60 Stat. 1352, related to jurisdiction of Canal Zone courts over offenses on high seas. See section 3241 of Title 18.

EFFECTIVE DATE OF REPEAL

Repeal of sections 31 to 39 effective Sept. 1, 1948, see section 38 of act June 25, 1948, set out as an Effective Date note preceding section 1 of Title 28, Judiciary and Judicial Procedure.

§ 40. Transferred

CODIFICATION

Section, act June 15, 1917, ch. 30, title XIII, § 1, 40 Stat. 231, defined “United States” as used in act June 15, 1917, and was transferred to section 195 of this title.

§ 41. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862

Section, act June 15, 1917, ch. 30, title VIII, § 4, 40 Stat. 226, defined “Foreign government”. See section 11 of Title 18, Crimes and Criminal Procedure.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1948, see section 38 of act June 25, 1948, set out as an Effective Date note preceding section 1 of Title 28, Judiciary and Judicial Procedure.

§ 42. Transferred

CODIFICATION

Section, act June 15, 1917, ch. 30, title XIII, § 4, 40 Stat. 231, related to savings provisions and is set out as a Separability note under section 191 of this title.

Section was formerly classified to section 536 of Title 18 prior to the general revision and enactment of Title 18, Crimes and Criminal Procedure, by act June 25, 1948, ch. 645, 62 Stat. 683.

CHAPTER 4A—PHOTOGRAPHING, SKETCHING, MAPPING, ETC., DEFENSIVE INSTALLATIONS

§§ 45 to 45d. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862

Section 45, act Jan. 12, 1938, ch. 2, § 1, 52 Stat. 3, related to photographing of defensive installations. See sections 795 to 797 of Title 18, Crimes and Criminal Procedure.

Section 45a, act Jan. 12, 1938, ch. 2, § 2, 52 Stat. 3, related to photographing, etc., from aircraft. See section 796 of Title 18.

Section 45b, act Jan. 12, 1938, ch. 2, § 3, 52 Stat. 3, related to reproducing, publishing, selling uncensored copies. See section 797 of Title 18.

Section 45c, act Jan. 12, 1938, ch. 2, § 4, 52 Stat. 4, related to definitions of "aircraft", "post", "camp", and "station". See sections 795 and 796 of Title 18.

Section 45d, act Jan. 12, 1938, ch. 2, § 5, 52 Stat. 4, related to geographical application of law.

EFFECTIVE DATE OF REPEAL

Repeal of sections 45 to 45d effective Sept. 1, 1948, see section 38 of act June 25, 1948, set out as an Effective Date note preceding section 1 of Title 28, Judiciary and Judicial Procedure.

CHAPTER 4B—DISCLOSURE OF CLASSIFIED INFORMATION

§§ 46 to 46b. Repealed. Oct. 31, 1951, ch. 655, § 56(c), 65 Stat. 729

Section 46, act May 13, 1950, ch. 185, § 2, 64 Stat. 159, related to unlawful disclosure of classified information. See section 798 of Title 18, Crimes and Criminal Procedure.

Section 46a, act May 13, 1950, ch. 185, § 1, 64 Stat. 159, defined terms for use in this chapter.

Section 46b, act May 13, 1950, ch. 185, § 3, 64 Stat. 160, related to penalties for improper disclosure.

SAVINGS PROVISION

Section 56(l) of act Oct. 31, 1951, provided that the repeal of sections 46 to 46b shall not affect any rights or liabilities existing hereunder on Oct. 31, 1951.

CHAPTER 4C—ATOMIC WEAPONS AND SPECIAL NUCLEAR MATERIALS INFORMATION REWARDS

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| Sec. | |
| 47a. | Information concerning illegal introduction, manufacture, acquisition or export of special nuclear material or atomic weapons or conspiracies relating thereto; reward. |
| 47b. | Determination by Attorney General of entitlement and amount of reward; consultation; Presidential approval. |
| 47c. | Aliens; waiver of admission requirements. |
| 47d. | Hearings; rules and regulations; conclusiveness of determinations of Attorney General. |
| 47e. | Certification of award; approval; payment. |
| 47f. | Definitions. |

§ 47a. Information concerning illegal introduction, manufacture, acquisition or export of special nuclear material or atomic weapons or conspiracies relating thereto; reward

Any person who furnishes original information to the United States—

- (a) leading to the finding or other acquisition by the United States of special nuclear material or an atomic weapon which has been introduced into the United States or manufac-

tured or acquired therein contrary to the laws of the United States, or

(b) with respect to the introduction or attempted introduction into the United States or the manufacture or acquisition or attempted manufacture or acquisition of, or a conspiracy to introduce into the United States or to manufacture or acquire, special nuclear material or an atomic weapon contrary to the laws of the United States, or

(c) with respect to the export or attempted export, or a conspiracy to export, special nuclear material or an atomic weapon from the United States contrary to the laws of the United States,

shall be rewarded by the payment of an amount not to exceed \$500,000.

(July 15, 1955, ch. 372, § 2, 69 Stat. 365; Pub. L. 93-377, § 1(b), Aug. 17, 1974, 88 Stat. 472.)

AMENDMENTS

1974—Pub. L. 93-377 in par. (a) made minor changes in phraseology, in par. (b) included information relating to the actual introduction, manufacture and acquisition, or conspiring to introduce into the United States or to manufacture or acquire special nuclear material or an atomic weapon as within the information for which a reward would be given, and added par. (c).

SHORT TITLE

Section 1 of act July 15, 1955, as amended by section 1(a) of Pub. L. 93-377, provided: "That this Act [enacting this chapter] may be cited as the 'Atomic Weapons and Special Nuclear Materials Rewards Act'."

§ 47b. Determination by Attorney General of entitlement and amount of reward; consultation; Presidential approval

The Attorney General shall determine whether a person furnishing information to the United States is entitled to a reward and the amount to be paid pursuant to section 47a of this title. Before making a reward under this section the Attorney General shall advise and consult with the Atomic Energy Commission. A reward of \$50,000 or more may not be made without the approval of the President.

(July 15, 1955, ch. 372, § 3, 69 Stat. 365; Pub. L. 93-377, § 1(b), Aug. 17, 1974, 88 Stat. 473.)

AMENDMENTS

1974—Pub. L. 93-377 substituted provisions authorizing the Attorney General, with the advice of the Atomic Energy Commission, to determine entitlement and the amount of reward for a person furnishing information to the United States, for provisions authorizing an Awards Board to determine entitlement and amount of such reward, setting forth the composition of the Board and criteria for reward.

TRANSFER OF FUNCTIONS

Atomic Energy Commission abolished and functions transferred by sections 5814 and 5841 of Title 42, The Public Health and Welfare. See also Transfer of Functions notes set out under those sections.

§ 47c. Aliens; waiver of admission requirements

If the information leading to an award under section 47b of this title is furnished by an alien, the Secretary of State, the Attorney General, and the Director of Central Intelligence, acting jointly, may determine that the admission of